



CALIFORNIA STATE PUBLIC WORKS BOARD

EDMUND G. BROWN JR. • GOVERNOR

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Agenda with Analysis STATE PUBLIC WORKS BOARD

Friday, March 9, 2018 at 10:00 a.m. in
Room 113, State Capitol, Sacramento, California

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Pursuant to section 11125 of the Government Code, notice of all Board meetings will be given at least ten days in advance and such notice must include a copy of the agenda. Members of the public may address the Board prior to it taking action on any matter in the agenda.

This notice and the Board agenda for the current month are available on the Internet at: <http://www.spwb.ca.gov>.

Individuals who need disability-related accommodation, including auxiliary aids for effective participation at this public meeting are invited to make their requests and preferences known to Marie Magdaleno at (916) 445-9694 or e-mail to marie.magdaleno@dof.ca.gov, five days prior to the meeting.

MINUTES

Consider approving the minutes from the February 12, 2018 Board meeting.

Staff have reviewed the minutes from the February 12, 2018 Board meeting and recommends approval of those meeting minutes.

Staff Recommendation: Approve minutes from the February 12, 2018 Board meeting.

CONSENT ITEMS

NONE

ACTION ITEM

ACTION ITEM—1

HIGH SPEED RAIL AUTHORITY (2665) INITIAL OPERATING SEGMENT, SECTION 1 VARIOUS COUNTIES

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)
Section 39719(b)(2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15853 of the Government Code*

Consider authorizing site selection of ten assessors parcels in full or in part.

High Speed Rail Authority Parcel Number	Assessor Parcel Number (APN)
Fresno County	
FB-10-1513	042-243-01
FB-10-1502	334-040-90
FB-10-1543	334-040-92
FB-10-1506	334-310-53
FB-10-1388	335-090-54
FB-10-1511	338-110-28S
FB-10-1356	385-020-42
FB-10-1527	385-200-03
FB-10-1512	Portion of E. Overholser Avenue adjacent to APNs 042-170-37 and 042-010-06U
Kings County	
FB-16-0915	002-120-051

ACTION ITEM

STAFF ANALYSIS ITEM—1

High Speed Rail Authority
Initial Operating Segment, Section 1
Various Counties

Action Requested

If approved, the requested action would authorize site selection of ten assessors parcels in full or in part.

Scope Description

This project is within scope. The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 120 miles starting from Madera and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno, construction of a bridge over the San Joaquin River, several grade separations, two viaducts and the acquisition of approximately 1,600 parcels. The IOS-1 is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

Funding and Project Cost Verification

This project is within cost. Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for the IOS-1. In addition, Health and Safety Code section 39719 (b)(2) appropriates 25 percent of the annual proceeds of the Greenhouse Gas Reduction Fund for the Phase 1 Blended System and Health and Safety Code section 39719.1 authorizes repayment of a \$400 million General Fund loan from the Greenhouse Gas Reduction Fund for the Phase 1 Blended System. The IOS-1 is a component of the Phase 1 Blended System.

Background

To date, the Board has site-selected approximately 1,600 parcels comprising approximately 120 miles from Madera to near Bakersfield. This total does not reflect properties associated with right-of-way transfer agreements with local government.

Of the nine parcels in Fresno County, eight are needed for utility easements/relocations or for pipe jacking pits adjacent to the BNSF railroad. The remaining Fresno County parcel, APN 385-200-03, is needed for the HSTS at E. Conejo Avenue. The Kings County parcel is needed for a utility easement.

For these properties, the CEQA and NEPA processes were completed in either 2012 or 2014. Consistent with corridor based projects, minimal real estate due diligence has occurred to date as the alignment determines which properties must be acquired and any abatement or title issues will be resolved during or shortly after acquisition.

Staff Recommendation: **Authorize site selection of ten assessors parcels in full or in part.**

ACTION ITEM

ACTION ITEM—2

**HIGH SPEED RAIL AUTHORITY (2665)
INITIAL OPERATING SEGMENT, SECTION 1
VARIOUS COUNTIES**

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)
Section 39719(b)(2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15854 of the Government Code*

Consider the adoption of five Resolutions of Necessity authorizing the use of eminent domain to acquire the following properties:

- 1. Raven Family Property (Fresno County)**
Authority Parcel Numbers: FB-10-0451-1, FB-10-0451-2, FB-10-0451-3, and FB-10-0451-4
Assessor Parcel Number: 385-170-06s
- 2. Andranigian Property (Fresno County)**
Authority Parcel Numbers: FB-10-0480-1, FB-10-0480-4, FB-10-0480-5, FB-10-0480-6, FB-10-0480-7, FB-10-0480-8, FB-10-0480-9, FB-10-0480-10, FB-10-0480-11, and FB-10-0480-12
Assessor Parcel Number: 056-090-09
- 3. Dias Property (Kings County)**
Authority Parcel Numbers: FB-16-0422-1 and FB-16-0422-3
Assessor Parcel Numbers: 014-130-089, 014-130-092, and 014-130-093
- 4. Crawshaw Property (Kings County)**
Authority Parcel Numbers: FB-16-0006-1, FB-16-0006-2; FB-16-0418-1, FB-16-0418-2, and FB-16-0418-3
Assessor Parcel Number: 002-120-031
- 5. Iafrati Property (Kern County)**
Authority Parcel Numbers: FB-15-0028-1, FB-15-0028-2, FB-15-0028-01-01, FB-15-0029-1, FB-15-0029-2, FB-15-0029-01-01, FB-15-0031-1, FB-15-0032-1, and FB-15-0032-01-01
Assessor Parcel Numbers: 059-252-05, 059-252-06, 059-280-30, and 059-280-31

ACTION ITEM

STAFF ANALYSIS ITEM—2

High Speed Rail Authority
Initial Operating Segment, Section 1
Various Counties

Action Requested

Adopt five Resolutions of Necessity authorizing the use of eminent domain to acquire properties totaling approximately 83.4 acres.

Scope Description

This project is within scope. The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 120 miles starting from Madera and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno and relocation of railroad lines, the construction of bridges over the San Joaquin and Fresno Rivers as well as other waterways, several dozen grade separations, multiple viaducts and trenches, and the acquisition of approximately 1,600 parcels. The IOS-1 is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

Funding and Cost Verification

This project is within cost. Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for the IOS-1. In addition, Health and Safety Code section 39719 (b)(2) appropriates 25 percent of the annual proceeds of the Greenhouse Gas Reduction Fund for the Phase 1 Blended System and Health and Safety Code section 39719.1 authorizes repayment of a \$400 million General Fund loan from the Greenhouse Gas Reduction Fund for the Phase 1 Blended System. The IOS-1 is a component of the Phase 1 Blended System.

Background

In order to adopt a Resolution of Necessity that is required to initiate the eminent domain proceedings, the Board must consider that the following conditions have been met:

- (A) The public interest and necessity require the project;
- (B) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (C) The property sought to be acquired is necessary for the project; and,
- (D) The offer required by Government Code section 7267.2 has been made to the owner or owners of record.

In 2008 the voters of California approved Proposition 1a, authorizing monies from the High-Speed Passenger Train Bond fund in support of this Project. In 2009 and 2010 the federal government approved funds in support of the portion of this Project extending from San Francisco to Anaheim, and in 2012 and 2014, through Chapter 152, Statutes of 2012 and Chapter 25, Statutes of 2014, the Legislature appropriated funds for the acquisition and design-build phases of the IOS-1 of the Project, extending from Madera to just north of Bakersfield.

The Property Acquisition Law, commencing with section 15850 of the Government Code, authorizes the Board to select and acquire in the name of the State of California (State) with the

consent of the State agency concerned, the fee or any lesser right or interest in any real property necessary for any State purpose or function. This law also authorizes the Board to acquire property by condemnation, in the manner provided for in Title 7 (commencing at section 1230.010) of Part 3 of the Code of Civil Procedure.

Each of the properties is within the right of way for IOS-1 and was site selected at previous Board meetings. The site selections took place after an environmental review process where it was determined that any alternative alignment would include the selected parcels, or where a preferred alignment had already been approved by both the High Speed Rail Authority Board and the Federal Railroad Administration. Acquisition of these properties will allow the High Speed Rail Authority to move forward with construction of the HSTS.

Between May 2017 and December 2017, the various owners were provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. Negotiations to acquire the properties are continuing; however, in order to keep the project on schedule, the adoption of Resolutions of Necessity to authorize the use of eminent domain is required.

On February 16, 2018, Notices of Intent to adopt a Resolution of Necessity were mailed to the respective property owners. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

Property Specific Information:

1. Raven Family Property (Fresno County)
Authority Parcel Numbers: FB-10-0451-1, FB-10-0451-2, FB-10-0451-3, and FB-10-0451-4
Assessor Parcel Number: 385-170-06s
Partial Acquisition: Approximately 5.44 acres total (4.53 in fee and 0.91 in easement)

This property will be needed for the construction of the HSTS between S. Minnewawa Avenue and East Clarkson Avenue.

2. Andranigian Property (Fresno County)
Authority Parcel Numbers: FB-10-0480-1, FB-10-0480-4, FB-10-0480-5, FB-10-0480-6, FB-10-0480-7, FB-10-0480-8, FB-10-0480-9, FB-10-0480-10, FB-10-0480-11, and FB-10-0480-12
Assessor Parcel Number: 056-090-09
Partial Acquisition: Approximately 12.20 acres total (10.32 in fee and 1.88 in easement)

This property will be needed for the construction of the HSTS and bridge between Cole Slough and the Fresno-Kings County line.

3. Dias Property (Kings County)
Authority Parcel Numbers: FB-16-0422-1 and FB-16-0422-3
Assessor Parcel Numbers: 014-130-089, 014-130-092, and 014-130-093
Partial Acquisition: Approximately .49 acre total (.45 in fee and .04 in easement)

This property will be needed for the construction of the HSTS due to a design change that widened the corridor between Fargo Avenue and Grangeville Boulevard. and for improvements to the Fargo Avenue grade separation.

4. Crawshaw Property (Kings County)

Authority Parcel Numbers: FB-16-0006-1, FB-16-0006-2; FB-16-0418-1, FB-16-0418-2, and FB-16-0418-3

Assessor Parcel Number: 002-120-031

Partial Acquisition: Approximately 5.56 acres total (5.19 in fee and .37 in easement)

This property will be needed for the construction of the HSTS between 9th Avenue and Cairo Avenue.

5. Iafrati Property (Kern County)

Authority Parcel Numbers: FB-15-0028-1, FB-15-0028-2, FB-15-0028-01-01, FB-15-0029-1, FB-15-0029-2, FB-15-0029-01-01, FB-15-0031-1, FB-15-0032-1, and FB-15-0032-01-01

Assessor Parcel Numbers: 059-252-05, 059-252-06, 059-280-30, and 059-280-31

Partial Acquisition: Approximately 59.72 acres total in fee

This property will be needed for the construction of the HSTS between Blankenship Avenue and McCombs Road.

Staff Recommendation: **Adopt five Resolutions of Necessity authorizing the use of eminent domain to acquire properties totaling approximately 83.4 acres.**

OTHER BUSINESS

OTHER BUSINESS—1

RESOLUTION OF THE STATE PUBLIC WORKS BOARD AUTHORIZING THE DELEGATION OF CERTAIN FUNCTIONS AND APPROVALS TO STAFF

Consider the adoption of a resolution authorizing the delegation of certain functions and approvals to staff, which would replace a prior resolution approved January 15, 2016 authorizing the delegation of similar actions, to ensure administrative efficiencies.

OTHER BUSINESS

STAFF ANALYSIS ITEM—1

Action Requested

Adopt a resolution authorizing the delegation of certain functions and approvals to Board staff.

Background

The proposed resolution would replace a prior resolution approved by the Board on January 15, 2016. Pursuant to Government Code Section 15770.2, the Board may delegate any duties it deems proper. This proposed resolution would delegate to the Executive Director and any of the Deputy Directors certain functions and approvals, provided that there are no controversial issues or policy concerns with such approvals.

Staff Recommendation: **Staff recommends adoption of the resolution.**

REPORTABLES

TO BE PRESENTED AT MEETING